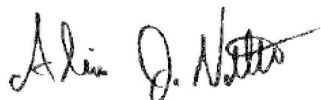


MATTHEW J. KLUGER
ATTORNEY AT LAW

SO ORDERED 4/21/20



Alison J. Nathan, U.S.D.J.

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April 17, 2020

By ECF

Honorable Alison J. Nathan
United States District Court Judge
Southern District of New York
40 Foley Square
New York, N.Y. 10007

Re: United States v. Jafar Borden
S1-16 Cr. 335 (AJN)
15cr95

Dear Judge Nathan:

Mr. Borden's request is granted, and the Court adopts his proposed schedule. His resentencing is tentatively rescheduled for May 14, 2020 at 10:30 a.m. The parties shall confirm by May 1, 2020 that they wish to proceed to sentencing by video or telephone conference at that time. Furthermore, if defense counsel would like to speak with Mr. Borden for 15 minutes prior to the sentencing, he shall provide the Court with a number at which he can be reached by May 1, 2020.
SO ORDERED.

As a result of the Supreme Court's decision in United States v. Davis, 139 S. Ct. 2319 (2019), defendant Jafar Borden was scheduled to be resentenced on April 22, 2020 at 11:00 a.m. However, due to the current health crisis and the difficulty in communicating with Mr. Borden at the MDC, the defense respectfully requests that the Court adjourn the resentencing in accordance with the following proposed schedule:

Defense submissions due on or before April 27, 2020

Government's response (if any) due by May 1, 2020

Resentencing to be adjourned to either Tuesday, May 12 or Thursday, May 14, 2020

Moreover, in accordance with this Court's Order dated April 14, 2020 (Doc.#2812), the defense anticipates that Mr. Borden will waive his right to be physically present at resentencing. Accordingly, defense counsel will provide the Court with a waiver of personal appearance form on or before May 1, 2020.

The government, through AUSA Hagan Scotten, consents to the above.

Thank you.

Respectfully submitted,

/s/ Matthew J. Kluger
Matthew J. Kluger

cc: AUSA Hagan Scotten
AUSA Jessica Feinstein